

# **DEFENDANTS'**

## **EXHIBIT A**

**Records of Lab Testing Results Related to the  
Lethal Injection Drugs in TDCJ's Possession**

AFFIDAVIT

THE STATE OF TEXAS §

COUNTY OF WALKER §


BEFORE ME, the undersigned authority, on this day personally appeared Bobby Lumpkin, who, being by me duly sworn, deposed as follows:

“My name is Bobby Lumpkin, I am over eighteen years of age, of sound mind, capable of making this affidavit, and I have personal knowledge of the facts stated herein. I am employed by the Texas Department of Criminal Justice (TDCJ), and I serve as the Director of the Correctional Institutions Division.

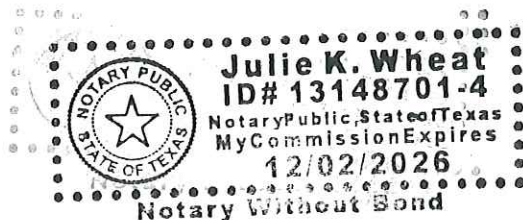
Attached are true and correct copies of *lab testing results related to the lethal injection drugs currently in the possession of the TDCJ intended for use in the execution procedure*, which are kept by the TDCJ in the regular course of its business activity. The entries of such records were made as a regularly conducted activity and as a regular practice of the TDCJ and were made at or near the time of the occurrence of the matters set forth by or from information transmitted by a person with knowledge of those matters.

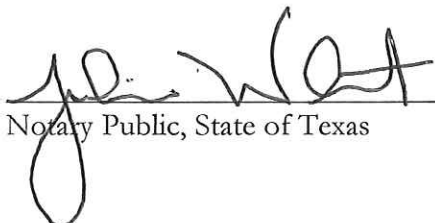
I declare under penalty of perjury that the foregoing is true and correct.”

Further Affiant sayeth not.

  
\_\_\_\_\_  
Bobby Lumpkin  
Director  
Correctional Institutions Division  
Texas Department of Criminal Justice

SWORN AND SUBSCRIBED before me by Bobby Lumpkin on this the 4th day of October, 2023, to certify which witness my hand and seal of office.



  
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Notary Public, State of Texas

# LABORATORY REPORT

Account #: [REDACTED]

Sample Name: pentobarbital sodium injection 50mg/mL

Lot #: [REDACTED]

Storage Conditions: Room Temperature

Submission #: [REDACTED]

Date Received: 9/14/2023

## Chemistry Tests:

Potency (Solution) (Pentobarbital Sodium): 50.00000 mg/mL

Date Started: 9/19/2023

Date Completed: 9/21/2023

Measured Concentration:

47.1 mg/mL

Potency:

94.2 %

Method:

USP<621>

Disclaimer:

The potency method(s) used for testing passed system suitability requirements per [REDACTED]. Product-specific method validation is not available for this sample.

## Microbiology Tests:

ScanRDI Sterility Test

Date Started: 9/15/2023

Date Completed: 9/22/2023

Result:

Pass

USP <85> Bacterial Endotoxin Test

Date Started: 9/15/2023

Date Completed: 9/15/2023

Numerical Value:

<1 EU/mL

Endotoxin Limit:

5 EU/mL

Result:

Pass

Respectfully submitted,

# LABORATORY REPORT

Account #: [REDACTED]

Sample Name: pentobarbital sodium injection 50mg/mL

Lot #: [REDACTED]

Storage Conditions: Room Temperature

Submission #: [REDACTED]

Date Received: 9/14/2023

## Chemistry Tests:

Potency (Solution) (Pentobarbital Sodium : 50.00000 mg/mL)

Date Started: 9/19/2023 Date Completed: 9/21/2023

Measured Concentration:

50.0 mg/mL

Potency:

100.0 %

Method:

USP<621>

Disclaimer:

The potency method(s) used for testing passed system suitability requirements per [REDACTED] Product-specific method validation is not available for this sample.

## Microbiology Tests:

ScanRDI Sterility Test

Date Started: 9/15/2023

Date Completed: 9/15/2023

Result:

Pass

USP<85> Bacterial Endotoxin Test

Date Started: 9/15/2023

Date Completed: 9/22/2023

Numerical Value :

<2 EU/mL

Endotoxin Limit:

5 EU/mL

Result:

Pass

Respectfully submitted,